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**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**NORA FOOTE,** )  
 )  
 Plaintiff, ) Case No. 3:06-00686  
 ) Judge Nixon  
 v. ) Magistrate Judge Bryant  
 )  
**JO ANNE B. BARNHART,** )  
 Commissioner of Social Security,<sup>1</sup> )  
 )  
 Defendant. )

**ORDER**

Pending before the Court is Plaintiff Nora Foote’s (“Plaintiff”) Motion for Judgment on the Administrative Record (“Plaintiff’s Motion”) (Doc. No. 11). Defendant (“Defendant” or “Commissioner”) filed a Response to Plaintiff’s Motion for Judgment (Doc. No. 15), and Plaintiff further filed a Reply (Doc. No. 16).<sup>2</sup> Magistrate Judge Bryant (“Magistrate Judge”) issued a Report and Recommendation (“Report”) (Doc. No. 20), recommending that Plaintiff’s Motion be denied and the decision of the Commissioner be affirmed. No Objections to the Report have been filed.

Upon review of the record in this case, the Court finds the Magistrate Judge’s Report and Recommendation to be well-founded, and thus **ADOPTS** it in its entirety. The Court hereby

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<sup>1</sup> Michael J. Astrue was sworn in as Commissioner of Social Security on February 12, 2007. Pursuant to Federal Rule of Civil Procedure 25(d)(1) and the last sentence of 42 U.S.C. § 405(g), Michael J. Astrue is automatically substituted as Defendant in the above-captioned case, and no further action is necessary to continue this case.

<sup>2</sup> Defendant subsequently filed a Motion to Amend its Response to Plaintiff’s Motion for Judgment to strike a sentence that was inadvertently included in the Commissioner’s brief. (Doc. No. 17). This Motion was granted by Magistrate Judge Knowles. (Doc. No. 18).

**DENIES** Plaintiff's Motion for Judgment on the Administrative Record, and **AFFIRMS** the decision of the Commissioner. This Order terminates this Court's jurisdiction over the above-styled action, and the case is **DISMISSED**.

It is so ORDERED.

Entered this the 14 <sup>th</sup> day of July, 2008



JOHN T. NIXON, SENIOR JUDGE  
UNITED STATES DISTRICT COURT